

## REMARKS

In the Office Action, the Examiner rejected claims 1, 4, 21-24 under 35 USC § 112 and claims 1, 4 and 25 under 35 USC § 103. These rejections are fully traversed below.

Claims 1, 4, 21 and 25 have been amended. Claims 26-39 have been added. Thus, claims 1, 4-6, 9-18 and 21-39 are pending in the application. Reconsideration of the application is respectfully requested based on the following remarks.

### *ISSUES UNDER 35 USC 112(1)*

**Claims 1, 4, and 21-24 have been rejected under 35 USC 112, first paragraph as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.**

The Applicant respectfully disagrees. While the claim limitation “without performing any intervening processing steps between the etching and removal steps” may not appear in the specification in its present form, it should be emphasized that it does indeed have a basis in the original disclosure and thus it does not introduce new concepts. In particular, support for this limitation may be found in the written description of Fig. 2 found on pages 7 and 8, which reads, “The procedure 200 begins at step 202 where a wafer is received by an operator or by a machine. The wafer is generally received for a specific processing task (e.g., step 206). By specific processing task, it is meant that the processing task is the next task (emphasis added) in a sequence of tasks used to process the wafer (lines 2-7)...After receiving the wafer, the process flow proceeds to step 204 where unwanted particles are removed from the backside of the wafer (lines 19-20)...After the unwanted particles have been removed from the backside of the wafer, the process flow proceeds to step 206 where a processing task is performed on the process side of the wafer (lines 13-15).” As should be appreciated, one skilled in the relevant art would most assuredly interpret the term “**next**” as used in the specification to mean immediately following. And if “**next**” means immediately following then no other processing steps can be performed between the processing task and the removal step, i.e., without performing any intervening processing steps between the etching and removal steps

With regards to using the transitional phrase “comprising” in the claims, the Applicant respectfully disagrees with the Examiners assertion that “comprising” makes the limitation “without performing any intervening processing steps between the etching and removal steps” meaningless since the word “comprising” permits the introduction of any process steps. “Comprising” is the term of art used in claim language which means the named elements are essential, but other elements may be added and still form a construct within the scope of the claim. See *Genetech, Inc. v Chiron Corp.*, 112 F.3d 495, 501, 42 USPQ2d 1608, 1613 (Fed. Cir. 1997). In the claims, the essential element is that no intervening processing steps are performed between the etching and removal steps. This element does not limit the addition of other elements. For example, other processing steps may be performed before the removal steps. Furthermore, other non processing steps may be performed between the etching and removal steps (e.g., placing the wafer on a chucking surface).

This language has been removed from claims 21-24.

**Claim 4 has been rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

It is believed that the rejection has been overcome by the amendment made above. In particular, the claim language “specific processing task is selected from etching, deposition or patterning” has been removed from claim 4.

#### ***Claim Interpretation***

The language “without effecting the process side of the wafer” has been added to claim 1.

#### ***ISSUES UNDER 35 USC 103(a)***

**Claims 1, 4, and 25 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *La et al.* (U.S. Patent No. 6,136,510) in view of *Guo et al.* (U.S. Patent No. 6,251,759).**

In contrast to both references, claim 1 (and its dependents) specifically requires “etching the process side of the wafer...without performing any intervening processing steps between etching and removal steps...”. While *La* may disclose scrubbing and etching steps and *Guo* may disclose process chambers and preclean chambers, neither reference teaches or suggests eliminating processing steps between removal and etching steps. In fact, *La* discloses performing a photolithographic technique between the scrubbing and etching steps. Scrubbing does not occur between the photolithographic technique and the etching step (See Col. 5, lines 16-45). This goes against the limitation of claim 1 described above. In fact, because of this one may argue that *La* teaches away from the above mentioned limitations. As stated in the specification of the present invention, on page 2, lines 27-30, “...with regards to trapped particles, the particles may be dust, polymer deposits and/or excess photoresist that has accumulated or collected on the backside of the wafer and/or top surface of the chuck during prior processing steps and/or transfers.” In the sequence of *La*, excess photoresist may adhere to the backside of the wafer between the scrubbing and etching steps since the photolithographic technique occurs therebetween. This excess photoresist may lead to problems, which the present invention is trying to prevent by excluding intervening steps between the cleaning and etching steps (e.g., maintaining the desired relationship between the backside of the wafer and the top surface of the chuck). With regards to *Guo*, *Gou* is completely silent to etching and removal steps. The most that can be said is that *Gou* discloses depositing copper using metallization or sputtering techniques and including preclean chambers. *Guo* does not describe the preclean chambers in any detail. Accordingly, the rejection is unsupported by the art and should be withdrawn.

The rejection to claim 25 should be withdrawn for at least the same reasons as above. In particular, claim 25 specifically requires, “...performing a processing sequence consisting of, only removing un-wanted particles from the back side of the wafer; placing the wafer on a chucking surface after removing the unwanted particles from the back side of the wafer...etching the process side of the wafer while the wafer is held on the chucking surface...” Again, *Guo* is silent to etching and removal steps and *La* discloses performing a photolithographic technique between the scrubbing and etching steps. As should be appreciated, the term “consisting of” prevents other elements as for example the photolithographic technique described in *La*. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Also in contrast to both references, claim 1 specifically requires, "...removing un-wanted particles from the back side of the wafer without effecting the process side of the wafer..." *Guo* is silent to cleaning the backside of the wafer. And while *La* may disclose scrubbing the backside of the wafer, *La* does not teach or suggest scrubbing the backside of the wafer without effecting the front side of the wafer. In *La*, both sides of the wafer are scrubbed. *La* repeatedly states that his invention comprises a less severe and more cost effective solution for reducing photolithographic failures by performing a double-sided scrubbing operation using conventional in place equipment. For example, *La* states, "The present invention addresses and solves the problem in a cost effective and efficient manner, preferably by utilizing existing production equipment. The solution ...resides in scrubbing the backside of the wafer preferably by performing a double sided scrubbing operation at strategic times...(Col. 3. lines 41-48)." See also Col. 3, lines 59-62, where *La* teaches away from CMP of the wafer backside by expressly stating that a double sided scrubbing operation is performed.

The Examiner asserted that *La* teaches an embodiment of "only backside scrubbing" in Col. 4 lines 1-6. The Applicant respectfully disagrees. This section is not an embodiment teaching only backside scrubbing. It is not a preferred embodiment. It is not a less preferred embodiment. It is not even a non preferred embodiment. *La* only teaches a double sided scrubbing operation. With regards to the phrase "backside scrubbing is effected by processing only the backside of the wafer by a scrubbing operation", close attention must be made to see how the sentence is constructed. *La* is not stating that backside scrubbing is performed without front side scrubbing. *La* is simply defining the term "backside scrubbing" to mean that only the backside of the wafer is processed during backside scrubbing. The term "only" is being used to define backside scrubbing, it is not being used to exclude front side scrubbing. If *La* was in fact describing a different embodiment (e.g., other than double sided scrubbing), then "backside scrubbing" should have been replaced with "scrubbing." This phrase simply does not exclude front side scrubbing from the overall scrubbing operation as is required by the claims. Furthermore, taken in context with the aim of the invention it is believed that one skilled in the art would not interpret this sentence to preclude front side scrubbing. This goes against what is being taught throughout *La* (e.g., double sided scrubbing). Accordingly, the rejection is unsupported by the art and should be withdrawn.

The rejection to claim 25 should be withdrawn for at least the same reasons as above. In particular, claim 25 specifically requires, "...only removing un-wanted particles from the back

side of the wafer...” Again, *Guo* is silent to cleaning the back side of a wafer and *La* only teaches double sided scrubbing. Accordingly, the rejection is unsupported by the art and should be withdrawn.

**Claims 1, 4, and 25 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *La* et al. (U.S. Patent No. 6,136,510) in view of *Loan* et al. (U.S. Patent No. 6,136,725).**

*Loan* does not overcome the deficiencies of *La*. That is, neither reference teaches or suggests, “etching the process side of the wafer...without performing any intervening processing steps between etching and removal steps,” as required by claim 1 (and its dependents), “...performing a processing sequence consisting of ...” as required by claim 25. With regards to *La*, see arguments made above. With regards to *Loan*, *Loan* is directed at deposition rather than etching and further does not teach or suggest sequential cleaning steps associated with a wafer. Accordingly, the rejection is unsupported by the art and should be withdrawn.

#### **Allowable Subject Matter**

Claims 5, 6 and 9-18 have been allowed. Claim 21 was amended to overcome the 112 rejection. Claims 21-24 are therefore believed to be allowable as the Examiner indicated allowable subject matter in the outstanding Office Action.

### SUMMARY

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
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